## DOCKET NO.: 133087.10101 (TMI/100940-1P US / P85108)

## REMARKS

Claims 1-3 and 5 were pending in the present application. Claims 1 and 2 have been canceled herein without prejudice to their presentation in another application. Claims 3 and 5 have been amended herein. No new matter has been added. Upon entry of the present amendment, claims 3 and 5 will remain pending.

As a preliminary matter, Applicants thank the Examiner for indicating at page 2 of the Office Action that claim 1 is objected to for containing non-elected subject matter and that claims 2, 3, and 5 presented in independent form would appear allowable. Applicants have canceled claims 1 and 2 herein and have amended claims 3 and 5. Claims 3 and 5 are in condition for allowance.

In view of the foregoing, Applicants respectfully submit that the claims are in condition for allowance. An early notice of the same is earnestly solicited. The Office is invited to contact Applicants' undersigned representative at 610.640.7859 if there are any questions regarding Applicants' claimed invention.

The Commissioner is hereby authorized to debit any underpayment of fee due or credit any overpayment to Deposit Account No. 50-0436.

Respectfully submitted,

/Paul K. Legaard, Reg.# 38534/ Paul K. Legaard, Ph.D.

Date: 2 January 2009

Pepper Hamilton LLP 400 Berwyn Park 899 Cassatt Road Berwyn, PA 19312-1183

Telephone: 610.640.7859 Facsimile: 267.430.7647